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PATENTS  
Docket No. NEO-005 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Green et al.  
Application No.: 10/804,856 Confirmation No.: 7428  
Filed : March 19, 2004  
For : BRACHYTHERAPY NEEDLE WITH IMPEDANCE  
MEASUREMENT APPARATUS AND METHODS OF  
USE  
Group Art Unit : 3736

Mail Stop: Amendment  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR  
INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith is an Information Disclosure Statement in the above-identified application. This Statement is submitted:

- ☐ within three months of the application filing date;
- ☒ more than three months from the application filing date but before the mailing date of the first Office Action on the merits.

In accordance with 37 C.F.R. § 1.97, submission of this Statement requires no fee. However, if for any reason a fee is due, the Director is hereby authorized to charge payment of any fees required in connection with this

Information Disclosure Statement to Deposit Account  
No. 06-1075. A duplicate copy of this letter is  
transmitted herewith.

Respectfully submitted,



Douglas A. Oguss  
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Name of Person Signing  
Lorraine Coke  
Signature of Person Signing  
12/3/04  
Date of Signature



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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98,  
applicants hereby make the following documents of record in  
the above identified application:\*

U.S. Patents and Patent Publications

2001/0049510	12/2001	Burr et al.
6,391,005	05/2002	Lum et al.
6,337,994	01/2002	Stoianovici et al.
6,106,524	08/2000	Eggers et al.
6,080,149	06/2000	Huang et al.
5,947,964	09/1999	Eggers et al.
5,938,583	08/1999	Grimm

---

\* Applicants reserve the right to challenge the status  
of any of the cited documents as prior art.

5,928,159	07/1999	Eggers et al.
5,928,130	07/1999	Schmidt
5,916,153	06/1999	Rhea, Jr.
5,800,484	09/1998	Gough et al.
5,715,825	02/1998	Crowley
5,683,384	11/1997	Gough et al.
5,429,639	07/1995	Shikman et al.
5,423,796	06/1995	Shikman et al.
5,415,177	05/1995	Zadini et al.
5,335,668	08/1994	Nardella
5,271,413	12/1993	Dalamagas et al.
5,143,079	09/1992	Frei et al.
4,679,561	07/1987	Doss
4,458,694	07/1984	Sollish et al.
4,291,708	09/1981	Frei et al.
4,224,949	09/1980	Scott et al.
2,763,935	09/1956	Whaley et al.

#### Foreign Patent Documents

4420232	12/1995	Germany
2590476	05/1987	France

#### Other Documents

Lee, B.R., "Bioimpedence: Novel Use of a Minimally Invasive Technique for Cancer Localization in the Intact Prostate," *Prostate*, 39(3), pp. 213-218, May 15, 1999.

Morimoto, T., "Measurement of the Electrical Bio-Impedance of Breast Tumors," *Eur. Surg. Res.* 22: 86-92 (1990).

Scuenn-Tsong Young et al., "An Instrument Using Variation of Resistance to Aid in Needle Tip Insertion in Epidural Block in Monkeys," *Medical Instrumentation* (Oct. 1987), vol. 21, No. 5, p. 266-268.

In accordance with 37 C.F.R. § 1.98 (d), copies of these documents, which are also listed on the accompanying Form PTO-1449, were made of record in U.S. Patent Application No. 09/873,666, now U.S. Patent No. 6,709,380 from which priority is claimed under 35 U.S.C. § 120, are not submitted herewith.

It is respectfully requested that these documents be (1) fully considered by the Patent and Trademark Office during the examination of this application; and (2) printed on any patent that may issue on this application. Applicants request that a copy of Form PTO-1449, as considered and initialed by the Examiner, be returned with the next communication.

An early and favorable action is respectfully requested.

Respectfully submitted,



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Lorraine Cole  
Name of Person Signing  
[Signature]  
Signature of Person Signing  
12/3/04  
Date of Signature

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
NEO-005 CONSERIAL NO.  
10/804,856INFORMATION DISCLOSURE  
STATEMENT BY APPLICANTAPPLICANTS  
Green et al.FILING DATE  
March 19, 2004GROUP  
3763

## U.S. PATENT DOCUMENTS

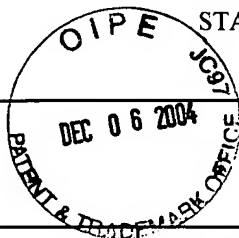
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2001/0049510	12/2001	Burr et al.			
	6,391,005	05/2002	Lum et al.			
	6,337,994	01/2002	Stoianovici et al.			
	6,106,524	08/2000	Eggers et al.			
	6,080,149	06/2000	Huang et al.			
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	4,291,708	09/1981	Frei et al.			
	4,224,949	09/1980	Scott et al.			
	2,763,935	09/1956	Whaley et al.			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
NEO-005 CONSERIAL NO.  
10/804,856INFORMATION DISCLOSURE  
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3763

## FOREIGN PATENT DOCUMENTS

## TRANSLATION

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
4420232	12/1995	Germany				
2590476	05/1987	France				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER INITIAL	
	Lee, B.R., "Bioimpedence: Novel Use of a Minimally Invasive Technique for Cancer Localization in the Intact Prostate," <i>Prostate</i> , 39(3), pp. 213-218, May 15, 1999.
	Morimoto, T., "Measurement of the Electrical Bio-Impedance of Breast Tumors," <i>Eur. Surg. Res.</i> 22: 86-92 (1990).
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